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8	UNITED STATES DISTRICT COURT					
9	CENTRAL DISTRICT OF CALIFORNIA					
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11	ANTHONY NORIEGA, an	individual,) No. CV	10-3776 FFN	M	
12	Plaintiff,) JUDGE			
13	v.) [PROP()	OSED		
14	TORRES MARTINEZ DES	SERT)			
15	CAHUILLA INDIAN TRIE INDIAN TRIBE, and DOES	BE, AN S 1 through 1)			
16	inclusive,	o i unough)			
17	Defendants.)			
18)			
19	This matter came on a	regularly for	hearing on the	14 th day of S	eptember,	
20	2010, at 10:00 a.m., before the Honorable Frederick F. Mumm, Magistrate Judge.					
21						
22	Present were Michael L. Tracy, appearing for Plaintiff, Anthony Noriega, and					
23	Scott W. Williams, appearing for the Defendant, Torres Martinez Desert Cahuilla					
24	Indians, sued herein as Torres Martinez Desert Cahuilla Indian Tribe ("Tribe").					
2526	The Court, after having	ng read and o	considered all of	f the pleading	gs filed herein	
27	regarding the Defendant's N	Motion to Dis	smiss pursuant t	o Rule 12(b)	o(6) of the	
28						
	JUDGMENT [PROPOSED]			Cas	e No. CV10-3776 FFM	

1	Federal Rules of Civil Procedure, including Plaintiff's Opposition and Defendant'						
2	Reply, and oral argument,						
3	The Court Finds:						
5	1. Torres Martinez Desert Cahuilla Indians is a federally-recognized						
6	sovereign Indian nation immune from unconsented suit;						
7	2. The Federal and California state statutes alleged as bases for the						
8	Plaintiff's claims do not apply to the governmental functions of a sovereign Indian						
9	tribe; and						
10	3. No purpose would be served by granting Plaintiff leave to amend his						
11	Complaint.						
12 13	JUDGMENT IS ENTERED as follows:						
14	1. The Plaintiff recover nothing; and						
15	2) This action is dismissed in favor of Defendant.						
16							
17	Entered this 22nd day of September, 2010						
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19 20	<u>/S/ FREDERICK F. MUMM</u> FREDERICK F. MUMM						
21	United States Magistrate Judges						
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_0	TUDGMENT [PROPOSED] 2 Case No. CV10-3776 FFM						